

# Senate Study Bill 1311

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
AGRICULTURE BILL BY  
CHAIRPERSON FRAISE)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to the state interagency Missouri river  
2 authority, by providing for the participation in or withdrawal  
3 from interstate associations, providing for the appointment of  
4 a vice chairperson, and providing for duties of member  
5 agencies.  
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
7 TLSB 2837SC 82  
8 da/je/5

PAG LIN

1 1 Section 1. Section 28L.1, Code 2007, is amended to read as  
1 2 follows:  
1 3 28L.1 STATE INTERAGENCY MISSOURI RIVER AUTHORITY CREATED  
1 4 == DUTIES.

1 5 ~~1-~~ A state interagency Missouri river authority is  
1 6 created.

1 7 1. a. The members of the authority ~~shall include~~ are the  
1 8 governor or the governor's designee, and representatives of  
1 9 interested state agencies which include the secretary of

1 10 agriculture or the secretary's designee, the chairperson of  
1 11 the utilities board or the chairperson's designee, and the  
1 12 directors of the department of natural resources, the state  
1 13 department of transportation, and the department of economic  
1 14 development or the directors' designees.

1 15 b. The governor or the governor's designee shall serve as  
1 16 chairperson. The vice chairperson shall be appointed by the  
1 17 authority each year from the representatives of the interested  
1 18 state agencies on a rotating basis as provided by the

1 19 authority's rules. The director of the department of natural  
1 20 resources vice chairperson's agency shall serve as the  
1 21 coordinator of the authority's activities and shall the vice  
1 22 chairperson shall serve as acting chairperson in the absence  
1 23 of the governor or the governor's designee.

1 24 2. The state interagency Missouri river authority shall be  
1 25 responsible for representing the interests of this state with  
1 26 regard to its membership in the Missouri river basin

1 27 association and to promote for purposes of promoting the  
1 28 management of the Missouri river in a manner that does not  
1 29 negatively impact landowners along the river or negatively  
1 30 impact the state's economy. The Missouri river basin  
1 31 association is an authority may participate in or withdraw  
1 32 from any interstate association of government representatives  
1 33 formed to seek consensus solutions to issues impacting the  
1 34 Missouri river basin.

1 35 3. a. The authority shall not participate in or withdraw  
2 1 from an interstate association, unless by majority vote of the  
2 2 representatives of the interested state agencies.

2 3 b. As chairperson of the authority, the governor or the  
2 4 governor's designee shall only vote in the event that a simple  
2 5 majority cannot be achieved by the other members of the  
2 6 authority, on all matters of policy, including Iowa's  
2 7 participation in or withdrawal from, any interstate  
2 8 association the authority members may recommend.

2 9 c. The state interagency Missouri river authority shall  
2 10 not only vote to approve or disapprove a substantive proposal  
2 11 or action being considered by the Missouri river basin an  
2 12 interstate association without the agreement by unanimous vote  
2 13 of the secretary of agriculture, the directors of all four  
2 14 three state departments, and the chairperson of the utilities  
2 15 board, or their designees, who are members of the authority.

2 16 If a substantive proposal or action considered by the an  
2 17 interstate association is not approved or disapproved by all  
~~2 18 four the secretary of agriculture, the directors of all three~~  
~~2 19 state departments, and the chairperson of the utilities board,  
2 20 or their designees, the state shall abstain from voting on the  
2 21 proposal or action.  
2 22 d. If the state of Iowa may exercise a right of cumulative  
2 23 voting on any issue before an interstate association, it shall  
2 24 not split its votes on that issue.~~

2 25 4. The state interagency Missouri river authority shall  
2 26 meet regularly with stakeholder groups in this state to  
2 27 receive their recommendations before substantive proposals or  
2 28 actions are voted upon or to receive policy positions to  
2 29 submit to ~~the Missouri river basin~~ an interstate association  
2 30 in which it participates.

2 31 EXPLANATION

2 32 This bill amends provisions in Code section 28L.1 which  
2 33 creates the state interagency Missouri river authority  
2 34 composed of the governor or the governor's designee and the  
2 35 heads of a number of agencies or their designees including the  
3 1 secretary of agriculture, the chairperson of the utilities  
3 2 board, and the directors of the department of natural  
3 3 resources, the state department of transportation, and the  
3 4 department of economic development. The authority is  
3 5 responsible for representing the interests of this state on  
3 6 the Missouri river basin association and to promote the  
3 7 management of the Missouri river in a manner that does not  
3 8 negatively impact landowners along the river or negatively  
3 9 impact the state's economy. The Code section provides that  
3 10 the director of the department of natural resources serves as  
3 11 the chairperson in the governor's absence, and the department  
3 12 of natural resources serves as the coordinating agency for the  
3 13 authority.

3 14 The bill provides that each agency representative serves as  
3 15 vice chairperson of the authority on an annually rotating  
3 16 basis, the vice chairperson acts as chairperson in the absence  
3 17 of the governor or the governor's designee, and the vice  
3 18 chairperson's agency acts as the coordinating agency for the  
3 19 authority during the vice chairperson's tenure. The bill  
3 20 provides that the authority by majority vote may participate  
3 21 in or withdraw from any interstate association representing  
3 22 issues affecting the Missouri river. The bill provides that,  
3 23 as chairperson, the governor or the governor's designee is not  
3 24 entitled to vote unless the other members' votes end in a tie.  
3 25 The bill also provides that if Iowa has a right of cumulative  
3 26 voting on an issue before the association, it cannot split its  
3 27 vote.

3 28 LSB 2837SC 82

3 29 da:nh/je/5